IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO.3319 OF 2006
IN
WEALTH TAX APPEAL (L) NO.1899 OF 2006

The Commissioner of Wealth-Tax-3)
Central-III, Aayakar Bhavan,)
M.K.Road, Mumbai-400 020)..Appellant

Versus

M/s.Hercules Investments Ltd.,)
84-A, Mittal Court, 222, Nariman)
Point, Mumbai-400 021.)..Respondents

Mr.P.S.Sahadeven for the appellant.

Mr.J.D.Mistry with Mr.Raj Darak for the respondents.

Coram : F.I.Rebello &
R.S.Mohite,JJ

Date : 5.12.2007.

PC

1. As the tax incidence is less than Rs.4 lakhs, learned Counsel seeks leave to withdraw the Appeal and the Notice of Motion. Appeal and Notice of Motion dismissed as withdrawn.

2. Issue of law, if any, is left open for consideration in an appropriate case. Refund of court fees as per rules. Certified copy expedited.

(R.S.Mohite,J) **(F.I.Rebello,J)**